

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte DANIEL I. KERPELMAN,
RICHARD L. FROWEIN, HUBERT ANTHONY ZELLEL,
JAMES F. KOHLI and JOHN M. HEINEN

Application No. 09/470,344

ORDER RETURNING UNDOCKETED APPEAL

This application was received at the Board of Patent Appeals and Interferences on June 16, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith returned to the examiner. The matters requiring attention prior to docketing are identified below.

On March 19, 2004, an Examiner's Answer was mailed (Paper No. 14). However, the paper attached to the PTO-90C cover page belonged to Application Serial No. 09/470,554.¹

¹ It should be noted that the Examiner's Answer located in Application Serial No. 09/470,554 was correct. According to the Patent and Trademark Office records, this Answer was mailed on December 3, 2003.

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Accordingly, it is

ORDERED that the application is returned to the
Examiner:

1. for removing copies of the Examiner's Answer
belonging to Application Serial No. 09/470,554 from the file
and replacing them with copies of the Examiner's Answer mailed
March 19, 2004 (Paper No. 14) belonging to Application Serial
No. 09/470,344;
2. for notification to appellants regarding the action
taken; and
3. for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: 

DALE SHAW
Program and Resource Administrator
(703) 308-9797

cc: Patrick S. Yoder
Fletcher Yoder & Van Someren
P.O. Box 692289
Houston, TX 77269-2289

ds/psb/ts
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